

**REMARKS**

The objection to Claim 4 has been addressed by its inclusion in the listed claims above.

The rejections of Claims 3, 4, 6-11 and 13-19 as being unpatentable over Nagasaka et al in view of Chou '250 and of Claim 20 as being unpatentable over Nagasaka et al in view of Chou '250 and further in view of Asai et al, both under 35 U.S.C. §103(a), are respectfully traversed. Reconsideration is requested in view of the foregoing amendment and following comments.

As pointed out to the Examiner by the undersigned in a brief telephone conversation on February 5, 2009 to cancel a scheduled interview, the subject matter of Claim 14 which has now been incorporated into Claim 3 is neither taught nor suggested in the Nagasaka et al patent at col. 3, line 53 to col. 4, line 3 as stated at page 8 of the final rejection.

Claim 3 now calls for a light receiving element row that has a filter. The Nagasaka et al apparatus teaches only the coating of the side walls of the apparatus in order to prevent irregular reflection. This is not a filtering function, and it is certainly not the provision of a filter medium over light receiving elements which provides for greater contrast by limiting the reception of only the perpendicular incident light component, not merely to prevent "irregular reflection" as in the Nagasaka et al apparatus.

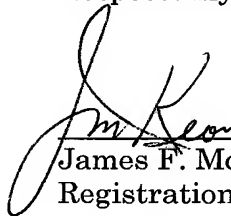
Accordingly, early and favorable action is earnest solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 056205.57280US).

Respectfully submitted,

February 6, 2009

  
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